

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**DAVID LAUER, TDCJ # 1069082,**

**Plaintiff,**

**V.**

**BOBBY LUMPKIN, ET AL.,**

## Defendants.



**CIVIL ACTION SA-20-CA-1320-FB**

## ORDER

Before the Court is the Civil Rights Complaint filed by Plaintiff David Lauer (“Plaintiff” or “Lauer”), pursuant to 42 U.S.C. § 1983 (“Section 1983 Complaint”). (ECF No. 1). Also pending are the following motions: Motion for Preliminary Injunction (ECF No. 9), Motion for Reconsideration (ECF No. 29), and Motion to Dismiss (ECF No. 32).

On April 22, 2021, Defendant, Bobby Lumpkin, filed a response to Plaintiff's Motion to Dismiss, stating that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendant stipulated to Plaintiff's voluntary dismissal of this action. (ECF No. 34).


Accordingly, **IT IS ORDERED** that Plaintiff's Motions for Preliminary Injunction (ECF No. 9) and Reconsideration (ECF No. 29) are **DISMISSED AS MOOT**;

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Dismiss Without Prejudice (ECF No. 32) is **GRANTED**.

**IT IS FINALLY ORDERED** that remaining motions pending with the Court, if any, are Dismissed as Moot and this case is **CLOSED**.

It is so ORDERED.

SIGNED this 23rd day of April, 2021.

  
FRED BIERY  
UNITED STATES DISTRICT COURT

FRED BIERY  
UNITED STATES DISTRICT JUDGE